

May 12, 2011

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554



Re: Notice of *Ex Parte* Presentation  
MM Docket No. 99-25 (Creation of Low Power Radio Service)  
WC Docket No. 11-42 (Lifeline/Link Up Reform & Modernization)  
WT Docket No. 10-208 (Mobility Fund)  
WC Docket No. 10-90 (Connect America Fund)  
GN Docket No. 09-51 (A National Broadband Plan for Our Future)  
WC Docket No. 03-109 (Lifeline and Link Up)  
CC Docket No. 96-45 (Universal Service)  
WT Docket No. 11-65 (AT&T and T-Mobile)

Dear Ms. Dortch:

On Wednesday, May 11, 2011, representatives from member organizations of the Media and Democracy Coalition (collectively, "Media and Democracy Advocates") met separately with Commissioners and staff from all five Commissioners' offices. This *ex parte* notification reports on three of those meetings.

One such meeting was attended by Commissioner Mignon Clyburn, as well Dave Grimaldi, her Chief of Staff and Media Legal Advisor; Angela Kronenberg, her Wireline Legal Advisor; and Louis Peraertz, her Legal Advisor for Wireless, International, and Public Safety matters. The second such meeting was with Rosemary C. Harold, Legal Advisor for Media issues to Commissioner Robert M. McDowell; and Christine D. Kurth, Commissioner McDowell's Policy Director & Wireline Counsel. The third meeting on which this notification reports was attended by Chairman Genachowski's advisors Zac Katz, Legal Advisor for Wireline Communications, International and Internet Issues; and Sherrese Smith, Legal Advisor for Media, Consumer and Enforcement Issues. Also in attendance for the meeting with the Chairman's staff was Peter Doyle, Chief of the Media Bureau's Audio Division.

The Media and Democracy Advocate attendees at each of these three meetings varied. Meeting with Commissioner Clyburn and her staff were Sean McLaughlin, Access Humboldt; Cecilia Garcia, Benton Foundation; Amalia Deloney, Center for Media Justice; Edyael Casaperalta, Center for Rural Strategies; Steven Renderos, Main Street Project; Traci Morris, Native Public Media; Michael Calabrese, New America Foundation; Brandy Doyle, Prometheus Radio Project; and Matt Wood, Media Access Project.

Attending the meeting with the Chairman's staff and Peter Doyle were Gavin Dahl, Common Frequency; and Qres Ephraim, Media and Democracy Coalition; accompanied by Sean McLaughlin, Amalia Deloney, Steven Renderos, Brandy Doyle, and Matt Wood.

Attending the meeting with Commissioner McDowell's staff were Katie Ingersoll, Prometheus Radio Project, accompanied by Sean McLaughlin, Cecilia Garcia, Steven Renderos, Traci Morris, Michael Calabrese, and Matt Wood.

Due to the number of attendees at each meeting and the number of topics covered, the presentations on the respective matters in the above-captioned dockets were, of necessity, quite brief. With the Chairman's staff and Commissioner McDowell's staff, the two matters discussed were Low Power FM ("LPFM") implementation and Universal Service Fund ("USF") reform. In the meeting with Commissioner Clyburn and staff, the Media and Democracy Advocates addressed these same two topics, but also discussed the proposed acquisition of T-Mobile by AT&T. It should be noted, however, that not all of the Media and Democracy Advocates' respective organizations have formulated a position at this time on that proposed acquisition.

During each meeting, the Media and Democracy Advocates presented their views on implementation of the Local Community Radio Act of 2010 ("LCRA"), which requires the Commission to ensure spectrum opportunities both for LPFM and FM translator applicants. The statute also directs the Commission to make such spectrum allocation and licensing decisions on the basis of the service needs of local communities. The advocates indicated that the LCRA requires meaningful spectrum availability and satisfactory channels for LPFM stations in every community, including the largest radio markets and urban centers. They also explained that the "ten-cap" solution for processing Auction No. 83 FM translator applications would have an impermissible preclusive impact on low power FM stations.

With respect to the Commission's broad-ranging USF reform proceedings, the Media and Democracy Advocates suggested that the Commission must reform and modernize the Low-Income program to (1) transition the fund to support broadband; (2) expand recipient eligibility, especially to account for individual recipients' increased need for mobile connectivity; (3) avoid imposing caps on the Lifeline program at a time when participation rates remain low; and (4) consider potential reallocation of high-cost funds to Lifeline and Link Up, including but not limited to the funding for broadband "pilot" program design and implementation. The advocates also called for exploration of expanded provider eligibility for USF support, so as to facilitate participation by community broadband providers such as municipal networks and non-profit cooperatives.

In the meeting with Commissioner Clyburn, the representatives from the Center for Media Justice, Main Street Project, New America Foundation, and Media Access Project voiced concerns about the proposed AT&T transaction to acquire T-Mobile. They explained that the transaction would harm competition, reduce choice, increase prices paid by consumers, stifle innovation in wireless services and devices, and result in a net loss of jobs. They also noted the fallacies underlying the transaction's supposed benefits, as advanced by the applicants. AT&T and T-Mobile have suggested, for example, that the deal could yield increased infrastructure investment, improved wireless broadband coverage, and reduced spectrum congestion. Yet, as

the above-listed organizations' representative discussed with Commissioner Clyburn and her staff, approval of this transaction either is not necessary to achieve those goals or would in fact be harmful to their achievement. Noting that there is no "spectrum crisis" in underserved rural areas, these organizations faulted AT&T's ongoing lack of investment when the company clearly has enough spectrum resources to deploy more advanced mobile broadband networks in its present rural service territories.

We submit this letter today pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b). Please contact me should you have any questions regarding this submission.

Respectfully submitted,

/s/ Matthew F. Wood

cc: Commissioner Mignon Clyburn  
Dave Grimaldi  
Angela Kronenberg  
Louis Peraertz  
Zac Katz  
Sherrese Smith  
Christine D. Kurth  
Rosemary C. Harold  
Peter Doyle